UNITED STATES PATENT AND TRADEMARK OFFICE

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EXAMINER
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PTOL-90A (Rev. 04/07)

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

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Ex parte DOUGLAS MARK KENNEDY

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Appeal 2009-008705
Application 10/650,394
Technology Center 2100

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Before JOSEPH L. DIXON, JOHN A. JEFFERY, and
DEBRA K. STEPHENS, *Administrative Patent Judges.*

JEFFERY, *Administrative Patent Judge.*

DECISION ON APPEAL[1]

Appellant appeals under 35 U.S.C. § 134(a) from the Examiner's

rejection of claims 1-33. We have jurisdiction under 35 U.S.C. § 6(b). We

affirm.

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[1] The two-month time period for filing an appeal or commencing a civil
action, as recited in 37 C.F.R. § 1.304, or for filing a request for rehearing,
as recited in 37 C.F.R. § 41.52, begins to run from the "MAIL DATE"
(paper delivery mode) or the "NOTIFICATION DATE" (electronic delivery
mode) shown on the PTOL-90A cover letter attached to this decision.

STATEMENT OF THE CASE

Appellant's invention tracks issues (e.g., defects, remedial measures addressing the issue, etc.) by providing interface pages corresponding to the user's access level, and providing an embedded uniform resource locator (URL) of an issue record. *See generally* Spec. ¶¶ 0001-06. Claim 1 is illustrative with key disputed limitations emphasized:

> 1. A method for tracking issues, comprising:
> providing a log-in page to log-in a user;
> receiving user information from the user in the log-in page;
> providing one of a plurality of *interface pages to process an issue*, wherein *the interface page has a configuration corresponding to a predetermined access level of the user*;
> providing an issue record; and
> providing an *embedded uniform resource locator of the issue record*.

The Examiner relies on the following as evidence of unpatentability:

Pulley	US 2002/0087679 A1	July 4, 2002
Tran	US 2004/0054688 A1	Mar. 18, 2004 (filed Sept. 16, 2002)

THE REJECTIONS

1. The Examiner rejected claims 1, 3-10, 12-15, 17-24, and 26-33 under 35 U.S.C. § 103(a) as unpatentable over Tran. Ans. 3-7.[2]

2. The Examiner rejected claims 2, 11, 16, and 25 under 35 U.S.C. § 103(a) as unpatentable over Tran and Pulley. Ans. 7-8.

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[2] Throughout this opinion, we refer to (1) the Appeal Brief filed October 3, 2008; (2) the Examiner's Answer mailed December 1, 2008; and (3) the Reply Brief filed February 2, 2009.

THE OBVIOUSNESS REJECTION OVER TRAN

Regarding representative claim 1, the Examiner finds that Tran (1) discloses every recited feature including interface pages in connection with the authorized user's login and ability to modify component lists to process issues, and (2) suggests providing an embedded URL of an issue record in connection with issue notification emails. Ans. 3, 9-10. Based on these teachings, the Examiner concludes that claim 1 would have been obvious. *Id.*

Appellant argues that Tran does not teach or suggest providing one of plural interface pages to process an issue, where the interface page is configured corresponding to a user's predetermined access level as claimed. Although Appellant acknowledges Tran's authorized user's "privileged access" via login and component list modification capabilities, Appellant nonetheless contends that there are no interface pages provided in connection with these capabilities, let alone interface pages to process an issue as claimed. App. Br. 9-11; Reply Br. 2-3. Appellant adds that while issue reports can be emailed in Tran, this email notification functionality or associated access of stored component lists does not teach or suggest providing an embedded URL of an issue record as claimed. App. Br. 11-12; Reply Br. 3-4.

The issue before us, then, is as follows:

ISSUE

Under § 103, has the Examiner erred in rejecting claim 1 by finding that Tran would have taught or suggested (1) providing one of plural interface pages to process an issue, where the interface page is configured

corresponding to a user's predetermined access level, and (2) providing an embedded URL of an issue record?

FINDINGS OF FACT (FF)

1. Tran's issue tracking system 10 enables users/customers 14 to report issues (e.g., problems, defects, bugs, etc.) regarding particular "components" (i.e., categories of issues handled by the system) to the tracking system. The submitted issue reports are stored in a database and categorized by component names. Appropriate "responsible entities" 16 are also notified to resolve the reported issues. Tran, Abstract; ¶¶ 0025-27; 0031-32; Fig. 2. Tran's issue tracking system in Figure 2 is reproduced below:
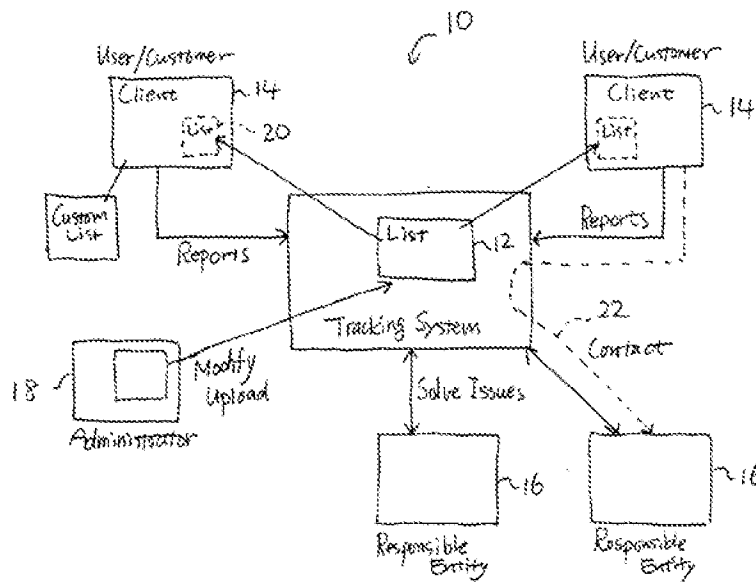
Tran's issue tracking system in Figure 2

2. Users/customers 14 can use a GUI to create issue reports and submit them electronically via (1) email, or (2) any type of computer network. Users/customers 14 can also directly contact responsible entities,

typically via email, phone call, or voice mail (numeral 22 in Fig. 2). Tran,
¶¶ 0027-28, 0031; Figs. 2, 4.

   3. The term "network" includes, among other things, local- and wide-
area networks, the Internet, etc. Tran, ¶ 0022.

   4. To notify the appropriate responsible entities about reported
problems, tracking system 10 uses a component list 12 listing (1)
components, and (2) email addresses of associated responsible entities to
email the appropriate responsible entity for further action. When the
responsible entity receives or opens an issue notification, the system may
also send an acknowledgement (typically via email) to the user/customer 14.
Tran, ¶¶ 0025-26, 0031; Figs. 2, 3A-3B.

   5. The responsible entity 16 (1) accesses the database containing the
issue reports; (2) opens an issue to be solved; (3) performs the necessary
actions; and (4) reports the results to system 10. Tran, ¶ 0032.

   6. Authorized user 18 is typically an administrator of the tracking
system 10 and has privileged access to the system. As such, the authorized
user is permitted to (1) download the component list from the database; (2)
modify the component list; and (3) upload the modified component list back
to the database. This privileged access may require a specific authorization,
such as a password. Tran, ¶ 0033.

ANALYSIS

   Based on the record before us, we find no error in the Examiner's
obviousness rejection of representative claim 1. We first note that the scope
and breadth of claim 1 does not preclude associating certain recited steps
with different users, namely Tran's "users/customers" 14 and "authorized

user" 18. That is, nothing in the claim precludes associating the first three

steps regarding (1) receiving user information via a log-in page, and (2)

providing an interface page to process an issue with Tran's *authorized user*

18. Nor does claim 1 preclude associating the last two steps with Tran's

user/customer 14.

As the Examiner indicates (Ans. 9), the administrator or "authorized

user" 18 has privileged access to Tran's tracking system via password-based

authorization (FF 6)—an authorization that suggests using some sort of log-

in page to enter the authorized user's password to access the system. And

we agree with the Examiner (Ans. 9) that the authorized user's ability to (1)

download a component list from the database; (2) modify the list; and (3)

upload the modified component list back to the database (FF 6) at least

suggests "interface pages to process an issue" as claimed, particularly since

this computer-based administration is at least indirectly tied to issue

processing. That is, these very component lists are used to notify

appropriate responsible entities to "process"—and ultimately resolve—

reported issues. FF 4-5. Simply put, this notification function made

possible by the authorized user's administration of the component list is a

crucial aspect of issue resolution. *See* FF 4-6. As such, the interface pages

corresponding to the authorized user's component list modification

capabilities not only correspond to the authorized user's predetermined

access level (i.e., privileged access), but they are also associated with issue

processing. *See id.*

Nor are we persuaded of error in the Examiner's reliance on Tran's

email-based issue notifications (Ans. 9-10) as at least suggesting the claimed

providing an embedded URL of an issue record. Notably, Tran indicates

that users/customers 14 can use a GUI to create issue reports (i.e., "issue records") and submit them electronically via (1) email, or (2) any type of computer network—including the Internet. FF 2-3. We conclude that hyperlinking these issue records via embedded URLs (e.g., linking to corresponding web pages) in emails or other Internet-based transmissions (e.g., using the web) in lieu of directly sending the issue records in these transmissions amounts to a predictable variation of Tran's issue reporting scheme that is well within the level of ordinarily skilled artisans.

In this regard, Appellant has not shown that embedding URLs in emails and other Internet-based transmissions to hyperlink content was unknown at the time of the invention. Nor has Appellant shown that adapting Tran's issue reporting scheme in this manner would have been uniquely challenging or otherwise beyond the level of ordinarily skilled artisans. As such, we find this enhancement would have been obvious. *See KSR Int'l Co. v. Teleflex Inc.*, 550 U.S. 398, 417 (2007) (noting that if a technique has been used to improve one device, and an ordinarily skilled artisan would recognize that it would improve similar devices in the same way, using the technique is obvious unless its actual application is beyond his or her skill); *see also Leapfrog Enters., Inc. v. Fisher-Price, Inc.*, 485 F.3d 1157, 1162 (Fed. Cir. 2007).

We are therefore not persuaded that the Examiner erred in rejecting representative claim 1, and claims 3-10, 12-15, 17-24, and 26-33 not separately argued.

THE OBVIOUSNESS REJECTION OVER TRAN AND PULLEY

We will also sustain the Examiner's obviousness rejection of claims 2, 11, 16, and 25 over Tran and Pulley (Ans. 7-8). Appellant has not particularly pointed out errors in the Examiner's reasoning to overcome the Examiner's conclusion of obviousness, but merely reiterates similar arguments made in connection with claim 1. App. Br. 13. We are not persuaded by these arguments, however, for the reasons previously discussed. The rejection is therefore sustained.

CONCLUSION

The Examiner did not err in rejecting claims 1-33 under § 103.

ORDER

The Examiner's decision rejecting claims 1-33 is affirmed.

No time period for taking any subsequent action in connection with this appeal may be extended under 37 C.F.R. § 1.136(a)(1)(iv).

AFFIRMED

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